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OFFICE OF PETITIONS

In re Application of
Evans, et al.
Application No. 10/659,202
Filed: September 10, 2003
Attorney Docket No. 2003P08454 US
For: AFCI TEMPERATURE
COMPENSATED CURRENT SENSOR

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on December 17, 2007, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely respond to the final Office action mailed May 4, 2006, which set forth an extendable three month period for reply. No extensions of time being obtained and no reply being filed, this application became abandoned on August 5, 2006. A Notice of Abandonment was mailed on November 15, 2006.

Applicants have submitted a RCE and \$810.00 fee and amendment in reply to the May 4, 2006 final Office action, an acceptable statement of the unintentional nature of the delay in responding to the May 4, 2006 final Office action, and the \$1,540.00 petition fee.

Regarding the statement of delay: It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioners must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioners must notify the Office.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney document must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

After the mailing of this decision the application will be forwarded to Technology Center AU 2836 for consideration of the RCE and amendment filed on December 17, 2007.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

CC: MICHAEL N. HAYNES
1341 HUNTERSFIELD CLOSE
KESWICK VA 22947